SPEFER

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Counsellor at Law, made in the Commons House of Parliament

CONCERNING EPISCOPACT.

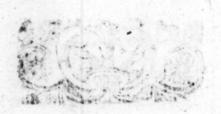
Printed by his owne Copie with additions



Printed for Thomas Nicholes, and are to bee fold at his shop, at the signe of the Bible in Popeshield Alley, 1642.



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Printed for Thomas Nicholes, and are to bee fold at his shop, at the figne of the Bible in Popestical high Alley, 1641.





PISCOPACY as it stands in this Kingdome comprehends, in it in linea rella, thefe 4. degrees, the Deacon, the Prefbyter, the Bishop and the Archbishop, Every Archbishop wades through every of these ordinarily.

Of the first and last wee have no veltigiam in the holy

Scriptures. This Deacon may preach and Baptife and helpe the Presbyter to administer the Lords Supper, but may not confectate the elements in the Lords Supper: * Booke of contrary to the Scriptures, by which preach and baptife, ordering of is a full commission for the exercise of all the ministerial function. Nat. 28, 19.

The Deacon mentioned in holy Scripture, is the fame in Office with our Church-warden, to looke to the Church goods, and the poore. Att. 6. 1 Tim. 3.

The Presbyter is of all hands acknowledged to bee, Inre Divino.

The Biffrey is confiderable in respect of his traine, and fecondly in respect of himselfe.

His Traine Making first the Design and Chanter of His Trains of the chief the Deane and Chapter of the Prebends, and aberent attailine Epifcope and were originally ordain and for his counfell to advise him in different and to advise him in and consent untohis differences of his possessions, Cok, r. 3. Deane and Chapter of Norwiches cafe.

Secondly, the Archdeacon is the oculus Episcopi to difcover and punish offences Spirituall and Ecclefiasticall within his limits, & manus Epifcopi, to prefent unto him fuch as are to be made Deacons and Presbyters, and to induct fuch as hee admits and inflitutes into Benefices.

Thirdly, his Chancellors, Vicars Generall, Commissaries Officials, Surrogates, Registers, Promotors, and o-

thers belonging to his Cathedrals.

These be all meerely humane, and may be taken away without offence to God or confeience, if there appeare just cause for it.

The Bishop in respect of himselfe is considerable in

his Barony and temporalties and his foiritualties.

The first, is meetely Exprais Regio, and in this King-* Gale of re- dome began 4. of William the Conquerour: And by vertue hereof, they have had place in the house of Peeres in Parliament, 7. H. 8. 184.p.6. Kel. it is refolved by all the Tudges of England, that the King may hold his Parliament by himselfe, his temporall Lords and Commons. without any Bilhop, for a Bishop hath not any place in Parliament by reason of his Spiritualties, but meerely by reason of his Barony, and accordingly Acts of Parliament have bin made, 2. Rich. 3. cap. 3. and at divers other times.

They have usurped the name of Spiritual Lords but of late, and were first called to 16. Rich. 2, cap. 1 in our

Statutes.

nurch 35. 2.

By his spiritualties, I meane these wherein he is more then a Presbyter, and therein I consider his authority over Presbyters by the oath of Canonicall obedience, by which he may command them to collect tenths granted in convocation, &c. 20. Hes. 6. 13, p. 35.

Secondly, his Office which is partly addiciall, and partly ministeriall, Judiciall, by which his Judge in his Courts of all matters Ecclefialticall and Spirituall within his Diocesse, Cok. Rep. 8. Trollogs C. Secondly, he is Judge of the fitnesse of such as are presented unto him to be instituted into benefices, Cok, rep. 5. Species, cap.

Ministeriall, and thereby he is to Sacre places Dedicate to Divine Service. 9. Hen. 6.17. p. 8. Secondly, he is to provide for the officiating of Cures in the avoidance of Churches on neglect of the Patrons, presenting thereinto. Thirdly, he is to certific loyall Matrimony, generall bastardy, and excommunication &c. Fourthly, to execute Judgements given in quare impedir, upon the writ Adadmittendum Clerici, & other judgments against a Clark, Fiftly, to attend upon trials of life, to report the sufficiency or insufficiency of such as demand Clergic. Sixthly, to ordaine Deacons and Presbyters.

All these I conceive to be Iure humano, given to these Bilhops, and may upon cause be taken away from them, Bilhops have beene in the Primitive Church, and are

Apoltolicall and from the beginning.

To this I answere, first, that in the pure primive times of the Church the history wherof is recorded in the Acis and Epistles of the Apolities, (in which the first and belt patterne of Church government is expressed) there is no mention of other Bishops then the Presbyters as appears.

First, the holy Scriptures declare the duties and office of Presbyters and Bishops to be one and the same. The Trick 6.7. Bishop is to teach and rule his Church or Congregation Note that I Tim. 3.2. 5. and the Presbyter is to teach and feed his in the Holy flock, and to oversee, care for, and rule them 1 Pri. 5.2.3. Ghosts de-

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the Office of a Bishop there is no mention of his superiori. ty over Pref. And other byters, wherfest that it is no part of his Office.

Secondly, the Presbyters are in hely seriptures. his to be the Bilhops of the Holy Choff, AB. 10. 28. Paul charges; the Presbyters of Epbelse to take heed to the flock whereof the Holy Choft had made them Bishops.

ops the Holy Gholt never made.

fans 4.11. God is faid to have given to Thirdly. by it is mani- his Church for the perfecting of the Saints, for the work of the Ministery, and for the edifying of the body of Christ, Apostles, Prophets, Evangelists, Pastors and Teathers, here is an expresse enumeration of the Officers God hath given, wherof the first 3, are extraordinary and ceafed a and the last onely remaines, and is to remaine untill we all come to perfection, as it is ver, 1 3, and this perpetuall Officer is called Paltor, in relation to his flocke whom he is to governe in Spiritualibus, and Teacher in respect of his dury to feed them with the word of truth. & is the very fame with the Presbyter as appeares above. Argumentum à divisione est fortissimum. The Bishop as he is any more then a Presbyter, is none of these, no Officer given by God, & therfore ought not to be in the Church. Christ the King of his Church was faithfull in his House. not onely as a fervant as Mofes was, but as the Son in an excellency and eminency, Heb. 3.5 and to his kingly Office it pertaines to appoint the Officers hee will ale for the government of his Church in spiritualibus, and it agrees not with his faithfulnelle, to neglect or omit the appointment of them, and leave his house, his Church. without such Officers. Hee is onely wise, and therefore belt knowes what Officers are ulcfull for his Church, and infinitely leving of his Church, and therefore hath not left her without any Officer fit for her.

Titus in the end of Pauls Epiftle unto him, is faid to bee the first Bilhop of Creete, and Timothy in the end of the Epiftles unto him, to be the first Bishop of Ephelms.

Those additions are spurious, and no part of the holy Scriptures, and as Beza observes, are not in many Greeke antient

by molt Divines. 2. And as they be no part of * Perk, upon Gal, 6 in fine. criptures of God to they be apparantly contrary upto them, for by them it appeares, that they namely True and True were Evangelists, extraordinary Officers, affocietes & fellow-helpers of the Apoliles in their generall and universall function, attendant upon them, and fent by them (as occasion required) from the Church to * For Tim. another, never keeping any fixed relidence any where, * See I Cor. 4 and if they had bin Bishops of any place, Paul would ne- 17. & 16.10. ver have suffered, much lesse forced them to bee non- A&. 17. 13. refidents. 15.8 19.22. and 20.4. 5.

I Thef. 2. 1.6. Hebr. 13.25. Coloff. 1. I. Philip. 1, 1, and 2.19. For Tieus See aCor. 7.13. and &6. 16.23, and 12.18. Gal. 2. 1. 2 Tim 4.10. Tit, 1.5. & 3,12.

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Sol.

Saint John Revel. 12.3. Writing to the 7. Churches of Asiadirects his speech to the Angell of each Church, and in each of those Churches there were then feverall Congregations and Presbyters, therefore the Angell was the Bishop over them:

To this I answer, that as Angell is a name common to all Presbyters who are Christs Mellongers and Ambasadors: So it appeares to be used here by the very context, cap, 2. v. ro. Where speaking to the Angell of the Church of Smiring the Holy Choff faith, Peare none of the things show that fuffer, the Divett foull caft forme of you into profon, but be then faithfull; & c. Angell (being nomen anultitudiwis) is taken in these chapters collectively for all the Presbyters (fome of whom the advertaries should im-The Line appeares in the like manner, ver, 13.23. In this Booke of the revelation fin which we have a discovery of the state of the Church after the Apostiles to the end) Bucheve the Prespecters often brought in waking God. and the that to 22 Gottalowes no fuch in his Church.

Sceing then the Epileopacy may be taken away in an wherein it exceeds the Presbyter's office, at that the Office of the Presbyter is clearly jury Divino; I conceive we are first to testore the Presbyter to his due, at to him it belongs to teach and feed his flock, and to oversee, care for, and rule them in springlishes, All. 20, 17.1 Tim. 3.2.5, and 5.18, 1 Per. 5.2.3. So faith the holy Scripture.

And so faith our Law also. He is to minister the Doctrine and the Sacraments, and the Discipline of Christ, as the Lord hath commanded, and as this Realine hath received the same according to the commandements of God: See the Booke of ordering of Priests in the 3. question. And he is called in our Law, Restor Ecclesia, and the words of his Institution be, Te Restorem Ecclesia instituinum curamá, co regimen animarum parochianorum tibi in Domino commistimus.

The Bishops have taken by usurpation from the Presbyter divers rights: first, contrary to his Ordination and Institution, they will not suffer him to preach in his own

Cure without a Licence.

Secondly, they restraine him from preaching some Doctrines, as of predestination and others that over-throw Arminian tenets, when his faithfulnesse in his Office requires he should keepe norhing backe, but to stiew them all the counsell of God, Ad. 20:27. Thirdly they will not suffer him to intermeddle in the Diserpline. These usurpations I conceive are to be taken away, and the Presbyter to be left free from them.

charge then shein Baronies and the intermedling of the Clergy in circumarkeable, vill Counsels, Affaires, and Imployments, ought to bee

See the Book taken from them.

First, I conceive such Lordship, and intermeding is against the Law of God, Christ refused to intermediag in dividing inheritances (though more able and at fee it then any Bilhop) Lak, 12,13 and faith his Kingdome is

*This is read to the Prefbyter upon his Ordination and his charge then given him is remarkeable. See the Book of Ordering Priefts.

World, John 18,36 and the Difficiple is not a Maller, Mar. 10:34 and Alt. 6. The Apollies rentermeddle in the Deacon or Church-warden ice; though of all earthly imployments the nearest to the Church, and the reason they give is remarkeable for this purpole, because they were to attend to Prayer and Administration of the word, and therefore not meet for them to attend such secular matters, and a Tim, 2, 4. The Apostles layes downe a rule in this case, that nemo militane Deo se implicat negotiis bujus feculi, and upon this ground, even the Popes Canon-lawes are against these things, as inconfiftent with the ministerial function. And the due execution of the Commission goe preach and baptize, is of it felfe burthen and worke enough for any man whatfoever his gifts and parts be, and made Paul though of a more excellent and able Spirit, cric out under the lense of the waight of it, who is sufficient for thefe things? 2 Cor. 2. 16.

Secondly, it is against the fundamentall Lawes of this Non of con-Land, whereby they that are within holy Orders, that forum quedilthey may the better attend upon, and discharge their duties are not to be intangled with temporall businesse, and therefore if any fuch be chosen to any temporall Office, the Law hath ordained a Writ to discharge them there- nue deservit

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The King may command the service of men in orders, and then it is to be given him by naturall allegiance.

This rule admits two exceptions and both are in this vide the writ. case: first, except the service from that person be against the Law of God as here it is, and then it is better obey God then man, in prafentia majori, ceffat poteftat minoris.

Secondly, if the letvice concerne the Common-wealth, and the person of whom it is required, be not sufficient for it, nor brought up unto it, the command is against Law, & the service not to be done if the King grant the Office of the Clarke of the Crowne to one not brought up to it, it is void, and the service not to be intermedled

le qui salabri statui animarum (pikeperibus contiad infiftendum in fecularibus negotile compellatur.

Socially, that part of the Bishops spiritual office by arbich he claimeth superiority over Presbyters ought to he taken as I concrive from them; is being against the will of Goden's respect of the best on bo

The Apolles queltioning among themselves which Thould be the Superiour, are tharply reproved by our Sawiout for it, and he tels them plainely it shall not be fo among them, Mark 10 42 Luke 21, 25, and Distrophes, a John o. is branded for it, that he fought preheminence Marke the in the Church. * The Mysterie of iniquity in the Popish Apostles in- Hierarchy, in the Presbyters exalting themselves, began to worke " in the purelt primitive times, (as we fee in Distroples and Peters caveat, I Pet. 5.2.) and never left till it came to the Pope, the highest degree and top therof By which it feemes to mee evident, that to leave the patterne of Church government let downe in the word of God, to follow the examples of after ages upon a false crie of primitive times, is to forfake the pure fountaine, and wallow in the muddy and corrupted ftreames of Antichriftian ambition.

> Thirdly, that part of the Spiritual office of the Bishop whereby he is to instruct the people committed to his charge, with the holy Scriptures, as upon the feeond question put unto him at his confectation, he undertakes to doe ought (as I conceive) to be reduced to a possibility for him to performe it. It is impossible for him to doe it to a whole Diocesse, therefore he should be limited to fome particular Congregation unto which he might performe this trust which requires personall sufficiency.

Fourthly, Ordination in the Scriptures is ever expref-

attendance and diligence.

fed to be by them in the Church, that had authority and * Act. 14-23. Were Officers in the Church, as Apoltles, * Evangelifts, * * Titus 1. 1. and after by the Presbytery, 1 Tim. 4. 14. 2 Tim. 1. 6. 6.7 And a shadow of this remaines in our Law, for the Bishop onely is not to lay hands upon the party to be or-

dained.

ference upon it verle 11. 2 Thef. 2.

4. 7.

with the Billion therein. This I conceive is not fit to be ordering in the bands of any one ordinary. Officer in the Church, Prieffs, abilities and faithfulnelly of perfors to be ordained Presbyters requiring great judge. mene, care, and circumspection. Plus vident acuts quant contine. The like I fay of deprivation

-Fifthy, Excommunication by the Scriptures ought to be onely in case of enormous offences and oblinacy in them, and onely in the congregation whereof the party to be excommunicate is a member, I Cor. 5. 4. Tell the Church, cannot be meant of one man, Met. 18. 17. Distreples is branded for taking upon him alone to cast any out of the Church. This also abused as well as uturped

by the Bilhop is to bereformed.

Sixtly inftitution and induction are usurped by the Bi-Thops upon the fundamentall Lawes of this Kingdome, by which the Patron after his Clerke was ordained, did without any more invest him into the Church Sec Solden of rithes 86. And a relick of this weretaine fill in Chur-

ches that be donatives,

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Seventhly, The jurisdiction of tithes causes matrimo first power of the Pope when the Rithops therby grown more for midable, were taken from the civil Magillante. to whom originally they belonged, upon presonge, that the tithes were lare depuse, the Churches patrimony and marriage a Sacrament, & that the dupoing the goods of the foul in Purgatory and schedule in the law for the foul in Purgatory and schedule in his life types mide and a cure of the foul a Purgatory and schedule in his life types mide and a cure of the foul a Purgatory and schedule in his life types mide and a cure of the foul a Purgatory and a Resident a Telemant at Hand and Alleman a

Eighthy, I be marters which are more dy fixed in the contract of Ecclesia tical contracts in the contract of the contract

and determined in the County and bundred-Cou rour these matters were taken thence and appropriated to the Bishop alone, 2. R. 2. Resul. Parliament, number 2. Selden of tithes 412. Booke of Martyrs, 174.

And by the Law of God (as I conecive) they ought to be heard and determined by them that have rule in the particular congregations and Churches, Mar. 18.17. r Car.s. which if it were to among us would be a won-

derfull case, and save great charges to the subject.

And where the difficulty of case or greatnesse of the persons whom it may concerne, or where the Governours in particular congregations demeane not themselves as they ought, it ought to be referred to a Synod of Presbyters, fo many as shall be thought meet, as Att. 15. a queltion of difficulty arising in the particular Church of Antioch,& the diffention growing great about the fame, they fent to Hierufalem, and there the Apostles and Prefbyrers convened, debated, concluded, and decreed the matter, & imposed the observation thereof upon Ansieck and other Churches, ver. 1,2,6.28. The Apostles would not meddle in the question without the Presbyters, and other Bishops there were none there nor in the Churches. And falleius expellemen negotia commission planibus, in the multitude of Couniellors, there is fatery, Prov. 11.14.

And the change of our Lawes (in case this House shall fee cause for it) will not be so great or difficult as is conchived by force. For ordination, admonition, differention, and deprivation of Presbyters and the judgement of the function parlons to be invelted into benefices Ecclefa-flicall, & the care of providing for the ferving of Cares, during the vacancy and avoidance of Churches; and the taking of the subscription of Ministers to the Articles of *13 Eliq. c. Religions & the viliting of Hospitals, whose Founders have appointed no vilitors, was are now in the Diffiop, may be lettled in a convention of Presbyters, to be ap-pointed for every hundred, from whom appeals may be

gravamen to a greater Affembly of them. Presbyters or any one of them, may be inabled to be oaths of Supremacy & alleagance, where the Bihop is authorifed to give the fame. "And excommunicati-," s. Eliz. c. r. on may be ordered to be certified by the Parlon, Vicar, or 7.lac. cap. 6. Stipendary of that Church where the party is excommunicate. And all Churches prefentative may be filled by invefaire of the Patrons, and all questions concerning them be. determined by the same rules of Law as donatives are, And loyall matrimony be tried by a jury where the Woman is party to the fuite, as now it is where the is not party, 50. E.3.15.p.5.11. H.4.4. Bp.30, and as it is now, where the iffue is Nient fa fem. 12, E. 2. Brecte 481, 50. E. 3. 15. B. 7. H. 6.12.2 June 35. H.6.9. P. 10. Choke 8. E 4. Hz. a Lacon, And Baftardy generall and Baftardy beyond Sea, within the ftatute, 25 . E.3. De natie ultra mare, May be made triable by jury, as now speciall Bastardy is 11.Ass. 20.38, ass. 24 39. E. 3.31.6.& 7.E. 6. Dier . 79.P. 52. So tithes may be reduced to the Common-law & be fired, for there, as it was ever in the case, or the King or his Debtor 38, all, 20, Col rep. 5. 16. a Cambreis cafe, &c as it is by the Stat. of 2. &c 3. E.6.c. 12. And for the Bilhops attendance on trials of life, it is needlesse he being no Judge in it, but the Court, who may appoint any other, or doe it themselves, and for facring of Churches and other dead things it is fit to be neglected and left off, being a Popish vaine superstition, and without colour of countenance from the word of God, the Leviticall confecrations being typicall & shadowes of the good things we enjoy under the Gofpel, Heb. 9.19.80c.

The Bishop being thus reformed and reduced to a con-dition and state agreeable to the word of God the onely.

right "rule of reformation.

The Deanes Chapters, Vicars Generall Chancellors, &the * 25. Exod. relt of his traine, que sales (being sellaris inutile pondes) are 9. 40. We have intrusted the Episcopacy these 82, years with Ezek 43.10.

the cure of foules, a trust of the highest concernment, if we 2 Gor. 4 6.

Mat, 16. 26. What hall a man give in recompense for his fould? the price of it is belt feene in the price given for it, God and Man mult become a curfe to redome it.

How have they discharged this trust? Survey the Churches throughout the Kingdome & you shall find 8, parts of ro, of them, filled with Idoll, idle, or scandalous Ministers, whom the Bps, might have by Law refused, it discovered unto them before hand, and ought to have removed being discovered unto them afterwards. And it hath aboundantly appeared this Parliament upon examinations taken in this House of Commons & the Committees thereof; that when Ministers extreamely scandalous, have bin discovered to the Bishops & their Officers, and in the High-commission Court, they have received no further censure then admonition, or to be put to purgation, and so sent home to desirroy more soules, as if they had not done sufficiently in that way before.

But if any godly, learned, painfull Preacher hath bin difcovered by them, they have fought outall occasions against fuch, to thrust them out of the Church, & lay their congregations wast & desolate, & every trifle, though indifferent in their owneaecount, hath beene made use of, and suffeed them for this yea, they have made occasions and traps to overthrow such worthics without Law and against Law.

And herein they have inherited the vertice of Diogreples their first Predecessor, who would not receive the
brothren, and forbad them that would, and cast both out
of the Church, a Tolor 20.

And though some of the Bishops have bin and are good men, yet look into their Diocesse, at the Churches in their gift, and judge whether they be good Bishops or no, you shall find them as faulty concerning this great trust as any of the rest. And whether it be not from hence evident, or at least greatly to be inspected, that some curic cleaves to the veryoffice of Bishops, when good men cannot manage it to any better purpose then the bad, let any man judge.

This

The paintal Monroby hath two incidents informable and its. That it is always inconching and of a page upon other powers, and fivallowing them up, is the fair of all ages aboundantly manifeller a. That it is ever inclining and returning to Popery, and the religion of Antichrift, as fath most clearly appeared, even in an dayes as well as before fince the reftoring of Religion. I shall for this time instance onely in three places of the Rubrick corrupted by Rishops: In the Rubrick confirmed by Actiof Parliament, in the beginning of it, It is directed, that prayer shall be in such place of the Church or Chancell, and the Minister shall so turne him, as the people may best heare.

In the Rubrick as it is now printed prayer shall be used in the accustomed place, &c. except it shall be otherwise de-

termined by the Ordinary.

Whereby they have introduced the Popish practicof reading prayers at the upper end of the Chancell at their Altar, where few in the Church can fee them, & fewer hears them, and of turning their faces to the East, and their backes to the people in reading in the Deske, and colour all with the determination of the Ordinary.

Common prayer confirmed by the Statutes of 3. & 6. Ed. 6. & 6. Ed.

In the Rubricke concerning the administration of the Lords-supper, as it stands now altered, an excellent declaration of the reason why kneeling at this Sacrament was left in the reformation, and a renunciation of translibstantiation, consubstantiation, adoration of the bread & wine, as abominable Idolatries, are wholly obliterate and left out, that the use of that gesture there might be rendred the more suspicious and superstitious & a more cleare way might be made, to induce the Popish superstitious innovations, that have bin since obtruded upon us, concerning the Table, Altar, supersminent presence of God Almighty there, cringings, Altarworthips.

how can be expected to shoold year to my bear in then we have received from it.

Againe; (if I be not annex deceived) the Epifernan what he we are easily to present a street of the Presbyrers office in which is only I peake of it) is a branch of the Hierarchy of Remy is the Annichrift & of that confider what is prophelied for the Annichrifts of that confider what is prophelied Revel.

14.11. They shal not have any rest day not might, that receive any print of the name of the Beast; and examine the former and present times, whichier the same bath not bin vertical among us, as in all such places where that Hierarchy bath bin estertained. Whether the most mobbles and instenses of the Churches, as in great part also of the Common-wealth have not spring from the laid. Episopaey & the fruits thereoft. Therefore let us proceed to the particular of the reformation of one Church; at to the gathering on of they cry stone that offends even whatloover is not according to God, and the standard of his word, and reduce every thing in the Godward warment to the role; and walke into in Gods way, which is the sine way to have his preferne with us and bieffing appears and care for ever.

It hash even bin a point of higher honor from God and of greater acceptance and afterne with him to alternoon the construction of his Church and worthing and will be arcproach from him, and his worthing and a lings is any thing not agreeable to his worthing and his a lings taken away, up then let his bedone and the Land before its and make plaine all mountaines that

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